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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,600	05/17/2004	Konrad Lenhof	PU2214	3599
23454	7590	06/09/2005	EXAMINER	
CALLAWAY GOLF COMPANY 2180 RUTHERFORD ROAD CARLSBAD, CA 92008-7328			PASSANITI, SEBASTIANO	
			ART UNIT	PAPER NUMBER
			3711	

DATE MAILED: 06/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/709,600	LENHOF ET AL.
	<b>Examiner</b> Sebastiano Passaniti	<b>Art Unit</b> 3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on see detailed Office action.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 4-10 is/are allowed.
- 6) Claim(s) 1-3 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date: _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>05/17/2004</u>	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

This Office action is responsive to communication received 5/17/2004 – application papers filed; 11/24/2004 – Response to Notice to File Missing Parts and Drawings.

Claims 1-10 are pending.

Following is an action on the MERITS:

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Schultz.

Figure 2 clearly depicts the shaft in Schultz as having a golf club with a shaft having a hollow interior and further including a tip end and a butt end. The club head (12) includes a hosel or shank (34). At least one member (48) serves as a shaft ring secured within the hollow interior. Note screw (44) placed within the hollow interior of the shaft through a bore in the shaft ring 948) and connected to the hosel in a threaded fashion (Figure 4).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cocke.

The patent to Cocke shows every feature claimed with the exception of the exact claimed dimensions for the crown distance and the placement of the metal shaft ring. It is clear that these dimensions would have depended upon the overall size of the head, the amount of hosel material designed into the head and the shape of the shaft cross-section at the hosel connection point. Certain governing bodies such as the USGA provide guidelines on the length of a hosel and the type of connections allowed between the head and the shaft. These guidelines in combination with the design criteria provided to the skilled artisan would have greatly influenced the size of the hosel and the exact location of the shaft ring. Moreover, these claimed dimensions are not deemed critical, as these dimensions have simply been disclosed as preferred. Additionally, it is noted that the threaded metal screw (5), while being shown with threads attached to a metal shaft ring or ferrule (11) is in essence also attached to the hosel indirectly through threaded adaptor (7).

Claim 3 is rejected under 35 U.S.C. 102(b) as being anticipated by Morell. Reference is made to Figures 1 and 2 wherein Morell shows a shaft having a wall defining a hollow interior, with the shaft having a tip and butt end. A clubhead is connected to the shaft via a hosel, with the hosel having a stud (12) that is threaded to receive screw (5). Morell further depicts a shaft ring (7) within the tip end of shaft (1) along with a locking sleeve (6). The screw (5) is threadingly connected to the stud (12).

Claims 4-10 are allowable over the prior art references of record because it would not have been obvious to modify any of the prior art devices of record to include an arrangement in which the shaft and hosel connection is further provided with a tapered locking sleeve with first and second openings, as further detailed by these claims.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See Figures 1 and 4 in Buhrke. Hadden ('811) shows a threaded screw disposed within a hollow shaft. See the split sleeve construction in Figure 8. Note Figure 4 in Barron. Observe Figure 3 in Kawasaki. Hadden ('340) shows a threaded bore arrangement. See the connection in Figure 9. Tseng ('053) and Tseng ('996) show a threaded connection. See Figure 1 in Tseng ('30=98) and Figure 1 in Shin ('144).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sebastiano Passaniti whose telephone number is 571-272-4413. The examiner can normally be reached on Mon-Fri (6:30-3:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on 571-272-4415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sebastiano Passaniti  
Primary Examiner  
Art Unit 3711

S.Passaniti/sp  
June 8, 2005